

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal Action

No. 18-292

ROBERT BOWERS,

Defendant.

Transcript of STATUS CONFERENCE proceedings recorded on
Monday, August 12, 2019, in the United States District Court,
700 Grant Street, Pittsburgh, Pennsylvania, before
The Hon. Donetta W. Ambrose, United States District Judge

APPEARANCES:

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(via teleconference)

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P R O C E E D I N G S

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(9:41 a.m.; in open court, Defendant not present:)

THE COURT: Good morning, everyone. We're here in the case of the United States of America against Robert Bowers at No. 18-292, and we're here for a status conference. Miss Clarke or Mr. Novara, Miss Long, I assume that Mr. Bowers has waived his appearance?

MS. CLARKE: He has, Your Honor. Thank you.

THE COURT: Thank you. So we have the status conference today because the deadline for filing pretrial motions is Thursday, August 15. And maybe someone can give me an update, status update? Will the Government or the defense go first? Who would you prefer?

MS. SONG: I'll start, Your Honor. With respect to discovery, it is ongoing. We have an open line of communication. We continue to provide discovery in the form that's requested by defense counsel, which includes digital evidence as well as documentary evidence.

There is some discovery still forthcoming that we have openly discussed with defense counsel. And at this time we're not aware of any disputes that need to be presented to the Court, bearing in mind that it's a dynamic process.

THE COURT: Thank you, Miss Song. Miss Clarke?

MS. CLARKE: I think that's accurate. We have

1 predicted that there will be some disputes, but we're trying
2 to work through them.

3 THE COURT: Surely. Now, I assume you're not going
4 to be filing your motions on Thursday?

5 MS. CLARKE: Correct. I think the parties have
6 agreed to ask the Court for a 120-day extension.

7 THE COURT: Okay. Is that correct, Miss Song?

8 MS. SONG: Yes, Your Honor.

9 THE COURT: Okay. Everyone agrees to a 120-day
10 extension, which would take us to what? December?

11 MS. CLARKE: Correct.

12 THE COURT: So if you would file your motion
13 extending discovery through December 15 of 2019, we'll
14 probably have a status conference sometime right before then.
15 Is there any time that -- I haven't looked at my calendar,
16 but are there any times that would not be good for anyone, or
17 do you want to pick a date right now? Carolyn, you have the
18 calendar up; right?

19 MS. ALLEN: It's wide open.

20 MS. CLARKE: Your Honor, I don't know when the
21 decision is going to be made by the AG, but perhaps that
22 could ride the next status conference date.

23 THE COURT: Do you think -- I know you don't have a
24 way of knowing with any assurance, but do you think it might
25 be before December 15?

1 MR. RIVETTI: We do not know the exact timing, Your
2 Honor. The process is ongoing. All counsel met with the
3 Attorney General Review Committee on July 22. The committee
4 has forwarded materials to the Office of the Deputy Attorney
5 General; and so the process from there is the Deputy Attorney
6 General makes a recommendation to the Attorney General, and
7 then the Attorney General will make a decision.

8 THE COURT: Okay. Well, do you want to leave open
9 the date then? We can leave that open. We'll know that --
10 we'll take a look at our calendar. And if we haven't heard
11 from anyone before the beginning of December about any
12 discovery disputes or anything else, then we'll pick a date
13 maybe even earlier than that maybe so that you have a chance
14 to be able to travel.

15 MS. CLARKE: Sure. That would be great.

16 THE COURT: So that's what we'll do. Sometime near
17 the -- Carolyn, let's just make a note for around the third
18 week of November or so, the beginning of the third week of
19 November. And we can make a decision then about the date for
20 a status conference. Around November 18 let's start thinking
21 about when we should have it. Is there anything further from
22 the Government?

23 MR. RIVETTI: No, Your Honor.

24 THE COURT: Miss Clarke? Oh, Miss Song, did you
25 have something?

1 MS. SONG: No, Your Honor.

2 THE COURT: Miss Clarke?

3 MS. CLARKE: No, Your Honor. Thank you.

4 THE COURT: Okay. Then I'll wait to hear from you.

5 If I don't, you'll hear from me about the date for the status
6 conference. Thank you.

7 MS. CLARKE: Thank you.

8 THE COURT: Thank you all.

9 MS. GEGGENHEIMER: Thank you.

10 (Proceedings were concluded at 9:46 a.m.)

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17 C E R T I F I C A T E

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19 I, Deborah Rowe, certify that the foregoing is
20 a correct transcript from the record of proceedings in the
21 above-titled matter.

22

23 S/Deborah Rowe _____

24 Certified Realtime Reporter

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